

County of Jackson) ss.
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A F F I D A V I T

I, Special Agent (SA) Craig M. Arnold, Federal Bureau of Investigation, being duly sworn, state the following is true and correct to the best of my knowledge and belief based on information provided to me by SA Kurt Lipanovich of the Federal Bureau of Investigation:

1. SA Lipanovich is presently assigned to the St. Joseph, Missouri, Resident Agency. He has been an FBI Special Agent for approximately 15 years. SA Lipanovich is responsible for investigating violations of federal criminal law in the 17 northwest counties of Missouri, which includes the town of Skidmore in Nodaway County.

2. This affidavit is made in support of a complaint for Lisa Montgomery for violation of Title 18, United States Code, Section, 1201, kidnaping.

3. On December 16, 2004, Special Agent Mickey L. Roberts, FBI, provided SA Lipanovich with the following information:

a. SA Roberts had been contacted by FBI Headquarters in Washington D.C. in connection with the murder of a pregnant woman in Skidmore, Missouri, earlier that same day, in which the woman's fetus had been removed.

b. After contacting the Nodaway County Sheriff's Department, SA Roberts was informed the woman was approximately 8 months pregnant with a female fetus. The victim had been strangled in her own home, her abdomen had been cut open and the fetus removed.

c. The victim was found with blond hair clenched in her hands; the victim does not have blond hair.

4. On December 17, 2004, Nodaway County Sheriff Ben Espey provided SA Lipanovich with the following information:

a. On December 16, 2004, the Nodaway County Sheriff's Department received a 911 call at 3:38 PM from Becky Harper, the mother of Bobbie Jo Stinnett, stating that her daughter was dead. Harper had gone to her daughter's residence, XXXXXXXXXXXX, Skidmore, Missouri, and discovered her daughter lying in a pool of blood in her residence. Harper noted it appeared as though her daughter's stomach had exploded.

b. Harper subsequently told Espey her daughter, Bobbie Jo, had been 8 months pregnant with a female fetus.

c. Espey later learned, following a crime scene investigation, that Stinnett's stomach had been cut laterally, there was no longer a fetus inside her and that the umbilical cord had been cut.

d. At the hospital, Espey learned there were ligature marks on Stinnett's throat indicating she had been strangled from

behind. It also appeared Stinnett was dead at the scene. Blond hair was found clenched in both of Stinnett's hands.

e. Espey also learned from Harper that on December 16, 2004, at approximately 2:30 PM, Harper had called Stinnett to ask her (Stinnett) to pick her up from work. Stinnett told her mother she was expecting someone to come and look at her dogs and then stated, "Oh, they're here, I've got to go."

5. On December 17, 2004, Brad Ussary, Missouri State Highway Patrol, provided SA Lipanovich with the following information:

a. Chris Law, a neighbor of Stinnett who lives down the street, observed a pinkish red two door vehicle in front of Stinnett's residence. The vehicle was parked in front of the residence from about 12:30 PM to 2:30 PM when Law left.

b. Law further described the vehicle as possibly a Mazda, a Toyota or a Hyundai. Law noted the vehicle was very dirty.

6. On December 17, 2004, Dave Merrill, Missouri State Highway Patrol, provided SA Lipanovich with the following information:

a. While processing the crime scene at Stinnett's residence, Merrill learned there was a computer at the residence and that the victim had been active on the Internet in connection with her dog breeding business.

b. The crime scene was processed by the evidence response team from the St. Joseph, Missouri, Police Department.

c. Curtis Howard, a St. Joseph Police Detective, and a computer forensic examiner, pre-viewed Stinnett's computer and found message board chats involving the following users:

xgringo@hotmail.com; fischer4kids@hotmail.com; and happyhavenfarms@hotmail.com, in connection with Stinnett's dog breeding business.

d. The Hotmail user xgringo@hotmail.com was subsequently determined to be a Jason Dawson; happyhavenfarms@hotmail.com was determined to be Stinnett's email address. The identity of fischer4kids@hotmail.com was unknown.

e. According to the chat on the message board, Darlene Fischer was interested in looking at some dogs. Fischer claimed to live north of Fairfax, Missouri, and asked Stinnett for directions to her house. Fischer also asked Stinnett what would be a good time for her to come over to Stinnett's house in the morning of December 16, 2004.

f. Attempts to locate a Darlene Fischer in Fairfax, Missouri, were negative.

g. Forensic evidence gathered from Stinnett's residence was taken by the St. Joseph Police Department back to St. Joseph, Missouri, including Stinnett's computer.

h. Jeff Owen, a forensic examiner with the Kansas City

Regional Computer Forensic Laboratory ("RCFL"), picked up Stinnett's computer from the St. Joseph Police Department and transported it to the RCFL for further analysis.

7. On December 17, 2004, Diane Siktar provided SA Lipanovich with the following information:

a. Siktar is a dog breeder in Franklin, North Carolina, and read about Stinnett's murder on a rat terrier message board. Siktar provided the Uniform Resource Locator ("URL") for the rat terrier board as

"[HTTP://members.boardhost.com/breedersboard/.](http://members.boardhost.com/breedersboard/)"

b. In reviewing messages posted to the board, Siktar found a message from Darlene Fischer, on December 15, 2004, with an email address of fischer4kids@hotmail.com, to Stinnett asking for directions to her house. Fischer said she was supposed to meet with Stinnett about a dog and needed directions to Stinnett's house. Stinnett replied by email and they apparently chatted for some time, possibly on instant messenger. On December 15, 2004, Stinnett also posted to the message board that she was looking forward to meeting Fischer on December 16, 2004, in the morning.

c. Siktar provided SA Lipanovich with the IP address of the message Darlene Fischer posted to the rat terrier message board. The IP address was 65.150.168.223.

8. On December 17, 2004, Jeff Owen, RCFL, provided SA

Lipanovich with the following information:

a. The IP address of 65.150.168.223 resolves to Qwest Communications, in Virginia.

b. Stinnett's chat with Darlene Fischer occurred on December 15, 2004, from approximately 5:37 PM to 5:57 PM.

9. On December 17, 2004, Melissa Erwin, Senior Security Specialist, Qwest Communications, provided SA Lipanovich with the following information:

a. Erwin confirmed that IP address 65.150.168.223 is assigned to Qwest Communications.

b. Based on the usage of that IP address on December 15, 2004, Erwin was able to determine, through a reverse domain name system search, that the server being used was located in Topeka, Kansas.

c. By reviewing her company's Internet connection logs, Erwin was further able to determine IP address 65.150.168.223 on December 15, 2004, between the approximate time of 5:37 PM to 5:57 PM was assigned to kelimont@earthlink.net and had been accessed by a dial-up connection. The number from which the dial-up connection was made was (785) XXXXXXXX.

d. Erwin then conducted an Internet telephone search for telephone number (785) XXXXXXXX and determined the number was subscribed to by Kevin Montgomery, XXXXXXXXXXXXXXXXXXXX, Melvern, Kansas, 66510.

10. On December 17, 2004, Special Agent Michael R. Miller, FBI, provided SA Lipanovich with the following information:

a. SA Miller and other law enforcement officers conducted surveillance of a residence located at XXXXXXXXXXXXXXXX XXXX, Melvern, Kansas. Thereafter, Miller observed a dirty red Toyota Corolla, bearing Kansas license plate RAH085 pull up in front of the residence.

b. Thereafter, Miller and other law enforcement officers contacted the residents of XXXXXXXXXXXXXXXXXXXX, Melvern, Kansas, and identified Kevin and Lisa Montgomery. Also identified in their custody was a newborn female infant.

c. Kevin Montgomery advised that yesterday, December 16, 2004, he arrived home from work at about 5:15 PM. Kevin's wife had been shopping in Topeka, Kansas, and called to tell him she had gone into labor and delivered a baby.

d. Thereafter, Kevin, and his two children, a 9th and 12th grader, drove in Kevin's pickup truck and met Lisa Montgomery in the parking lot of a Long John Silver in Topeka, Kansas.

e. Lisa and the baby then got into the truck with Kevin and the two children got into the red Toyota Corolla and they all drove back to their residence in Melvern, Kansas.

f. Lisa Montgomery said she had been pregnant and delivered her baby on December 16, 2004, at the Woman's Birthing

Center in Topeka, Kansas. A subsequent check at the Woman's Birthing Center revealed there were no births at the Center on December 16, 2004.

g. After being advised of her constitutional rights and having waived those rights, Lisa Montgomery thereafter confessed to having strangled Stinnett and removing the fetus. Lisa Montgomery further admitted the baby she had was Stinnett's baby and that she had lied to her husband about given birth to a child.

h. The newborn female infant, who had been transported by Lisa Montgomery from Skidmore, Missouri to Melvern, Kansas was surrendered to emergency medical technicians and health care professionals for examination and observation.

/s/ Craid M. Arnold
Craig M. Arnold
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 17th day of December, 2004.

/s/ Sarah W. Hays
SARAH W. HAYS
United States Magistrate Judge